

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 08-
v.	:	DATE FILED: _____
GRACE GAINES	:	VIOLATIONS:
	:	29 U.S.C. § 501(c) (embezzlement
	:	of union funds—43 counts)
		Notice of forfeiture

INDICTMENT

COUNTS ONE THROUGH FORTY-THREE

THE GRAND JURY CHARGES THAT:

On or about the following dates, in the Eastern District of Pennsylvania and elsewhere, the defendant

GRACE GAINES

embezzled, stole, and unlawfully and willfully abstracted and converted to her own use, moneys and funds of the American Federation of Teachers Local 4973 (the “local”), a “labor organization” engaged in an industry affecting commerce within the meaning of Title 29 of the United States Code, in that she issued and caused to be issued checks payable to herself from the local’s bank account and cashed checks made payable to the local, in the approximate amounts set forth below, each embezzlement constituting a separate count:

COUNT	DATE	PAYEE	AMOUNT
1	07/23/03	Local 4973	\$112.61
2	08/11/03	Local 4973	\$112.61
3	11/20/03	Local 4973	\$137.58

COUNT	DATE	PAYEE	AMOUNT
4	11/20/03	Local 4973	\$1,276.85
5	12/18/03	Local 4973	\$137.58
6	01/21/04	Local 4973	\$160.89
7	02/17/04	Local 4973	\$183.68
8	03/29/04	Local 4973	\$183.68
9	04/26/04	Local 4973	\$183.68
10	04/26/04	Local 4973	\$1,324.67
11	05/17/04	Local 4973	\$77.78
12	05/19/04	Local 4973	\$183.68
13	09/20/04	Local 4973	\$183.68
14	11/01/04	Local 4973	\$183.68
15	11/17/04	Local 4973	\$183.68
16	01/14/05	Local 4973	\$166.01
17	01/26/05	Grace Gaines	\$479.67
18	01/28/05	Grace Gaines	\$691.70
19	03/03/05	Local 4973	\$166.01
20	03/16/05	Grace Gaines	\$470.37
21	03/31/05	Local 4973	\$166.01
22	04/06/05	Grace Gaines	\$627.75
23	04/21/05	Local 4973	\$166.01
24	05/19/05	Local 4973	\$166.01
25	05/27/05	Grace Gaines	\$627.75
26	05/27/05	Grace Gaines	\$470.37
27	07/06/05	Grace Gaines	\$470.37
28	07/21/05	Local 4973	\$170.76

COUNT	DATE	PAYEE	AMOUNT
29	07/26/05	Grace Gaines	\$627.75
30	08/01/05	Grace Gaines	\$470.37
31	08/09/05	Local 4973	\$170.76
32	09/13/05	Local 4973	\$170.76
33	10/12/05	Local 4973	\$144.88
34	10/28/05	Grace Gaines	\$447.66
35	10/31/05	Grace Gaines	\$606.95
36	11/10/05	Local 4973	\$144.88
37	11/22/05	Grace Gaines	\$447.66
38	12/08/05	Local 4973	\$135.18
39	12/15/05	Grace Gaines	\$606.90
40	12/23/05	Grace Gaines	\$656.90
41	01/17/06	Grace Gaines	\$606.90
42	01/23/06	Grace Gaines	\$447.66
43	02/14/06	Grace Gaines	\$447.66

All in violation of Title 29, United States Code, Section 501(c).

NOTICE OF FORFEITURE

_____ The Grand Jury further charges that:

1. As a result of the violations of Title 29, United States Code, Section 501(c) set forth in this indictment, defendant

GRACE GAINES

shall forfeit to the United States of America any and all property, real and personal, that constitutes or is derived from proceeds traceable to such violations, including, but not limited to, the sum of \$ 15,597.99.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(1)(C).

A TRUE BILL:

GRAND JURY FOREPERSON

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**